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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/053,879	01/24/2002	Hidetoshi Kajiwara	21994/0039	5328
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Morris Liss Connolly Bove Lodge & Hutz LLP Suite 800			EXAMINER	
			NGUYEN, TRAN N	
1990 M Street, Washington, D	N.W. C 20036-3425		ART UNIT	PAPER NUMBER
<i>y</i> ,			2834	

Please find below and/or attached an Office communication concerning this application or proceeding.

## Diffice Action Summary    Examiner	<u> </u>	Annthonic Ma	Applicant(a)				
## Communication Summary    Examiner		Application No.	Applicant(s)				
Tran N. Nguyen  Tran N. Nguyen	Office Action Summary	10/053,879	KAJIWARA ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Ederesing of the may be a varietied date of this communication of 37 CFR 1.136(a). In no event, however, may a reply be timely filed of the STA (6) MCNTTS from the mailing date of this communication.  If IN Operation to reply is specified above, the maximum statutory period will assign and will application to reply is pacified above, the maximum statutory period will apply and will application to become ABANDONED (35 U.S. € 133)  Any day) recented by the Office age with the terminal above and the second by the Office and set when the maining date of this communication, even if timely field, may reduce any  Status  1) Responsive to communication(s) filed on	Office Action Summary	Examiner	Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 37 CFR 1.38(a). In role event, however, may a roply be limity filled.  Extensions of time may be available under the provisions of 37 CFR 1.38(a). In role event, however, may a roply be limity filled.  Extensions of time may be available under the provisions of 37 CFR 1.38(a). In role event, however, may a roply be limity filled.  Extensions of time may be available under the provisions of 37 CFR 1.38(a). In role event, however, may a roply be limity be sent contributed for the communication of the communication.  Failupe to may will write the available the maining date of the communication, even if timely filled, may reduce any communication.  Status  1) Responsive to communication(s) filled on  2a) This action is FINAL. 2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are objected to.  8) Claim(s) is/are objected to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) The proposed drawing correction filed on is/are: a) approved by disapproved by the Examiner.  Priority under 35 U.S.C.							
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<ul> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> <li>14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).</li> <li>a) The translation of the foreign language provisional application has been received.</li> <li>15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.</li> </ul>	a) All b) Some * c) None of:						
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1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of					

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## Election/Restriction

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species	Figures
1	1-8
2	9-15(b)
3	16-22

Applicants are required under 35 U.S.C 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is found generic.

Applicants are advice that a response to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. 1.141. If claims are added after the election, applicants must indicate which are readable upon the elected species. M.P.E.P. 809.02.

Applicants are advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 C.F.R. 1.143).

Should applicants traverse on the ground that the species are not patentably distinct, applicants should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C 103 for the other invention.

Applicants are reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 C.F.R. § 1.48(b) if one or more of the

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currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 C.F.R. § 1.48(b) and by the fee required under 37 C.F.R. § 1.17(h)<sub>2</sub>

PRIMARY EXAMINED

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